

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 109 OF 2006

SMT. RITA CABRAL, SIRIDAO, TISWADI
GOA.

....Petitioner

Versus

THE SECRETARY/SARPANCH,VILLAGE
PANCHAYAT OF SIRIDAO AND 2 ORS.,

....Respondents

Mr. Rohit Bras De Sa, Advocate for the Petitioner.
Mr. S.S. Kantak, Ag With Ms. L. Dharwadkar For The State
Mr. A. Naik, Advocate for R.1.

Coram:- KSHITIJ R. VYAS, C.J. &
RANJANA DESAI, J.

Date:- 7th June, 2006

P.C.:

Heard learned counsel for the parties.

There is no dispute to the fact that the petitioner has already approached the Deputy Director of Panchayats by filing an appeal under Section 66(5) of the Panchayat Raj Act which is pending since 2003. It is however the grievance of the petitioner that no decision whatsoever has been taken till date. In view of this, it is neither advisable nor appropriate for this Court to entertain this petition specially with respect to the controversy involved. In our opinion, this petition can be disposed of with the following directions:-

The Deputy Director of Panchayats before whom the appeal of the petitioner is pending shall hear and decide the appeal within eight weeks after hearing the petitioner and communicate its decision to the petitioner by passing appropriate order. It will be open to the petitioner to raise all available contentions before the said authority.

KSHITIJ R. VYAS, C.J.

RANJANA DESAI, J.

sl.